

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Boris A. Elmore, II

Docket No. 5:13-MJ-1006-1

Petition for Action on Probation

COMES NOW Keith W. Lawrence, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Boris A. Elmore, II, who, upon an earlier plea of guilty to Count 1- Driving While Impaired-Level 5, in violation of 18 U.S.C. § 13, assimilating N.C.G.S. 20-138.1 and Count 4- Concealed Weapon, in violation of 18 U.S.C. § 13, assimilating N.C.G.S. 14-269a, was sentenced by the Honorable William A. Webb, U.S. Magistrate Judge, on December 10, 2013, to a 12-month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall perform 24 hours of community service during the first 30 days of Probation as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required \$200 fee.
2. The defendant shall obtain a substance abuse assessment from an appropriate mental health facility within thirty (30) days from the date of this judgment and complete any prescribed treatment program. The defendant must pay the assessment fee and any added treatment fees that may be charged by the facility.
3. It is further ordered that the defendant shall participate in any other Alcohol/Drug Rehabilitation and Education program as directed by the U.S. Probation Office.
4. The defendant shall surrender North Carolina driver's license to the Clerk of this Court for mailing to the North Carolina Division of Motor Vehicles and not operate a motor vehicle on the highways of the State of North Carolina except in accordance with the terms and conditions of a limited driving privilege issued by the appropriate North Carolina Judicial Official.
5. Court also orders destruction of the weapon in Count 4.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On February 20, 2014, the defendant submitted a urine specimen which tested positive for cocaine. In an effort to deter future substance abuse issues, we would respectfully recommend that his probation be modified to include the standard drug aftercare condition. The defendant has been verbally reprimanded and has enrolled into substance abuse treatment. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

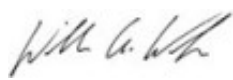
I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert K. Britt
Robert K. Britt
Senior U.S. Probation Officer

/s/ Keith W. Lawrence
Keith W. Lawrence
U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: (910) 483-8613
Executed On: March 6, 2014

ORDER OF COURT

Considered and ordered this 7th day of March, 2014, and ordered filed and made a part of the records in the above case.



William A. Webb
U.S. Magistrate Judge